IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 18138 of 2004(H)

PETITIONERS:

1. **M/S. ABAD EXPORTS PVT.LTD., BAYPRIDE BUILDING, JEW TOWN ROAD, KOCHANGADI, COCHIN-2, REP. BY ITS AUTHORISED SIGNATORY SHRI. SANTHOSE KUMAR.**

2. **ABAD OVERSEAS PVT.LTD., REGISTERED OFFICE, ABAD BUILDING, JEW TOWN ROAD, KOCHANGADI, COCHIN - 2, REP. BY ITS AUTHORISED SIGNATORY, SHRI.SANTHOSE KUMAR.**

BY ADV. SRI.JOY THATTIL ITTOOP
SRI.BECHU KURIAN THOMAS

RESPONDENTS:

1. **THE ADDITIONAL CENTRAL PROVIDENT COMMISSIONER (SOUTH ZONE) EMPLOYEES PROVIDENT FUND ORGANISATION, 3-4-763, BHAVISHYANIDHI BHAVAN, BARKATPURA, HYDERABAD 500 027.**

2. **THE LABOUR ENFORCEMENT OFFICER, EMPLOYEES PROVIDENT FUND ORGANISATION, 3-4-763, BHAVISHYANIDHI BHAVAN, BARKATPURA, HYDERBAD 500 027.**

BY ADV. SRI.N.N.SUGUNAPALAN, SC,PF
BY GOVERNMENT PLEADER SRI. K.V.MANOJ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.18138/2004 H

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **CERTIFICATE OF INCORPORATION OF M/S. ABAD EXPORTS PVT.LTD.**

EXT.P2: **CERTIFICATE OF INCORPORATION OF M/S.ABAD OVERSEAS PVT.LTD.**

EXT.P3; **COMMUNICATION DTD. 27/05/2004 ISSUED BY THE COUNSEL FOR THE PETITIONER.**

EXT.P4: **COMMUNICATION DTD. 02/06/2004 ISSUED BY THE COUNSEL FOR THE PETITIONER.**

EXT.P5: **PROCEEDINGS ISSUED BY THE FIRST RESPONDENT DTD. 15/06/2004.**

1ST RESPONDENT'S EXHIBITS:

EXT.R1(A): **COPY OF THE EMPLOYEES LIST PREPARED BY THE SQUAD OF ENFORCEMENT OFFICERS DTD. 19/04/2004.**

EXT.R1(B): **COPY OF THE PROCEEDINGS ISSUED BY THE RESPONDENT DTD. 15/06/2004.**

/TRUE COPY/

P.A.TO JUDGE

KSS

KURIAN JOSEPH J.

W.P.(C) No.18138 of 2004

Dated 20th July, 2007.

J U D G M E N T

Challenge is on Ext.P5 proceedings. As per Ext.P5, coercive steps were taken including that for arrest, for compelling the production of certain documents. There is an interim order of stay against such coercive action with a direction to the petitioners to cooperate with the enquiry. It is submitted that the petitioners have already produced documents and the enquiry is going on. Therefore, this writ petition is disposed of permitting the respondents to complete the enquiry without the coercive steps for arrest, however, making it clear that the petitioners shall cooperate with the enquiry and produce the documents which are called for for the purpose of enquiry, in case those documents are with the petitioners.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 20th July, 2007.